

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
MONROE DIVISION**

CAREY GARRISON

CIVIL ACTION NO. 22-5295

VS.

SECTION P

JUDGE TERRY A. DOUGHTY

J.D. DRISKILL, ET AL.

MAG. JUDGE KAYLA D. MCCLUSKY

JUDGMENT

The Report and Recommendation of the Magistrate Judge [Doc. No. 9] having been considered, no objections thereto having been filed, and finding that same is supported by the law and the record in this matter,

IT IS ORDERED, ADJUDGED, AND DECREED that Plaintiff Casey Garrison's excessive force and assault claims are **STAYED** under the following conditions:

- a. If Plaintiff intends to proceed with these claims, he must, within thirty (30) days of the date the criminal proceedings against him conclude, file a motion to lift the stay;
- b. If the stay is lifted and the Court finds that Plaintiff's claims would impugn the validity of his conviction, the action will be dismissed under *Heck*; if no such finding is made, the action will proceed absent some other bar to suit;
- c. Plaintiff should not file any more documents concerning these particular claims in this action until the state court proceedings conclude; and
- d. Defendants shall not be required to answer these claims during the stay, and Plaintiff may not seek a default judgment or conduct any discovery during the stay.

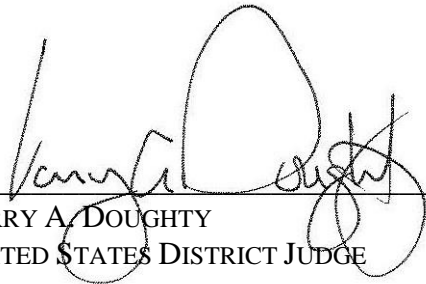
IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Plaintiff's request to dismiss his charges is **DISMISSED WITHOUT PREJUDICE** to Plaintiff's right to pursue habeas corpus relief after he exhausts all available state court remedies.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Plaintiff's failure

to protect claims (if any) are **DISMISSED WITHOUT PREJUDICE**.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Plaintiff's remaining claims, including his request for criminal charges against defendants, are **DISMISSED WITH PREJUDICE** as frivolous and for failing to state claims on which relief may be granted.

MONROE, LOUISIANA, this 25th day of April 2023.



TERRY A. DOUGHTY
UNITED STATES DISTRICT JUDGE